

EXPRESS TERMS

ITEM 23-1

Chapter 12-1:

Chapter 12-1

ADMINISTRATION

Section 12-1-101—TITLE, PURPOSE AND SCOPE

12-1-101.1 Title. These regulations shall be known as the *Uniform Building Code*, may be cited as such and will be referred to herein as “this code.”

~~For the State of California, these regulations shall be known as the California Building Code. The provisions contained in the California Building Code of the (compiled) California Building Standards Code as defined in Section 18910, Health and Safety Code, may be cited as such and are referred to hereafter as “these regulations” or “these building standards” or “this code.”~~

12-1-101.2 Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within this jurisdiction and certain equipment specifically regulated herein.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

~~{For DSA/AC} The purpose of this code is to ensure that barrier-free design is incorporated in all buildings, facilities, site work and other developments to which this code applies and to ensure that they are accessible to and usable by persons with disabilities.~~

12-1-101.3 Scope. The provisions of this code shall apply to the construction, alteration, moving, demolition, repair, maintenance and use of any building or structure within this jurisdiction, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this code, and hydraulic flood control structures.

For additions, alterations, moving and maintenance of buildings and structures, see Chapter 34. For temporary buildings and structures see Section 3103 and Appendix Chapter 31.

Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Wherever in this code reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted.

~~**12-1-101.3.1** The provisions of the model codes which are adopted by these regulations are applicable to all occupancy groups and uses regulated by this code. The amendments to the model codes are applicable only to those occupancies or uses which the state agency adopting the amendments is authorized to regulate as listed in Section 12-1-101.11.~~

~~NOTE: It is not the intent of this section that every existing occupancy within the scope of the state fire marshal's jurisdiction mandatorily conform or be made to conform to the new construction requirements relative to fire, panic and explosion safety. Reasonable judgment must be exercised by the enforcing agency in the application of these building standards to existing occupancies.~~

12-1-101.4 Effective Date.

12-1-101.4.1 One hundred and eighty days after the date of publication, or as otherwise noted herein.

~~NOTE: For clarification purposes, the applicable subsection of the Health and Safety Code section is repeated.~~

~~**Sec. 18941.5. Application and Effective Date.** The building standards contained in the Uniform Fire Code, published by the International Conference of Building Officials and the Western Fire Chiefs Association, the Uniform Building Code published by the International Conference of Building Officials, the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, the National Electrical Code[®] published by the National Fire Protection Association, the Uniform Mechanical Code published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials, as referenced in the State Building Standards Code, shall apply to all occupancies throughout the state and shall become effective 180 days after publication in the State Buildings Standards Code by the State Building Standards Commission, or at a later date after publication established by the commission.~~

~~**12-1-101.5 Format.** This part fundamentally adopts the UBC by reference on a chapter-by-chapter basis. Such adoption is reflected in the adoption table of each chapter of this part. When the adoption table of a chapter of this part makes no reference to a specific chapter of the UBC, such chapter of the UBC is not adopted as a portion of this code.~~

~~**12-1-101.6 Validity.** If any chapter section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the state as stipulated by statutes, or otherwise inoperative, such decision shall not affect the validity of the remaining portion of this code.~~

~~**12-1-101.7 Standard Reference Documents.** The codes, standards and publications adopted and set forth in this code, including other codes, standards and publications referred to therein are, by title and date of publication, hereby adopted as standard reference documents of this code.~~

~~When this code does not specifically cover any subject relating to building design and construction, recognized fire-prevention engineering practices shall be employed. The National Fire Codes and the Fire Protection Handbook of the National Fire Protection Association may be used as authoritative guides in determining recognized fire-prevention engineering practices.~~

~~**12-1-101.8 Nonbuilding Regulations.** Requirements contained in the UBC, or in any other referenced standard, code or document, which are not building standards as defined in Section 18912, Health and Safety Code, shall not be construed as part of the provisions of this code.~~

~~For the applicability of regulations relating to maintenance, operation, use, limitations or prohibitions, and similar nonbuilding regulations, see other titles of the California Code of Regulations.~~

~~**12-1-101.9 Order of Precedence.**~~

~~**12-1-101.9.1 General.** In the event of any differences between these building standards and the standard reference documents, the text of these building standards shall govern. Where a specific provision varies from a general provision, the specific provision shall apply.~~

~~**12-1-101.9.2 Fire Codes.** Nothing in these building standards shall diminish the requirements of the state fire marshal.~~

~~**12-1-101.10 Availability of Code.** For clarification purposes, the applicable subsection of the Health and Safety Code section is repeated:~~

~~**Sec. 18942 (d).** Each city, county, and city and county, including charter cities, shall obtain and maintain with all revisions on a current basis, at least one copy of the building standards and other state regulations relating to buildings published in Title 8, 19, 20, 24 and 25 of the California Code of Regulations. These codes shall be maintained in the office of the building official responsible for the administration and enforcement of the provisions of this part.~~

~~**12-1-101.11 Application.**~~

~~**Vesting Authority.** When adopted by a state agency, the provisions of these regulations shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the state legislature.~~

~~Following is a list of the state agencies that adopt building standards, the specific scope of application of the agency responsible for enforcement, and the specific statutory authority of each agency to adopt and enforce such provisions of building standards of this code, unless otherwise stated.~~

~~**12-1-101.11.1 AGR—Department of Food and Agriculture.**~~

~~—Application—Dairies and places of meat inspection.~~

~~—Enforcing Agency—Department of Food and Agriculture.~~

~~—Authority Cited—Agriculture Code Sections 18735, 19384, 33481 and 33731.~~

~~—Reference—Agriculture Code Sections 18735, 19384, 33481 and 33731.~~

~~**12-1-101.11.2 BOC—Board of Corrections.**~~

~~—Application—Local detention facilities.~~

~~—Enforcing Agency—Board of Corrections.~~

~~—Authority Cited—Penal Code Section 6030.~~

~~—Reference—Penal Code Section 6030.~~

~~**12-1-101.11.3 BSC—California Building Standards Commission.**~~

~~—Application—State buildings (all occupancies), including buildings constructed by the Trustees of the California~~

State Universities and Colleges and the Regents of the University of California where no state agency has the authority to adopt building standards applicable to such buildings.

— ~~Enforcing Agency~~— State or local agency specified by the applicable provisions of law.

— ~~Authority Cited~~— Health and Safety Code Section 18934.5.

— ~~Reference~~— Health and Safety Code Sections 18901 through 18949.6.

12-1-101.11.4 CA—Department of Consumer Affairs.

12-1-101.11.4.1 Board of Barber Examiners.

— ~~Application~~— Barber shops.

— ~~Enforcing Agency~~— State or local agency specified by applicable provisions of law.

— ~~Authority Cited~~— Business and Professions Code Section 6508.

— ~~Reference~~— Business and Professions Code Sections 6549, 6549.1, 6549.6, 6586.5, 6588, 6590, 6591 and 6593.

12-1-101.11.4.2 Board of Cosmetology.

— ~~Application~~— School of Cosmetology and Electrology.

— ~~Enforcing Agency~~— State or local agency specified by applicable provisions of law.

— ~~Authority Cited~~— Business and Professions Code Sections 7310 and 7311.

— ~~Reference~~— Business and Professions Code Sections 7310, 7311, 7384.5, 7384.6 and 7391.

12-1-101.11.4.3 Board of Medical Quality Assurance; Acupuncture Examining Committee.

— ~~Application~~— Acupuncture offices.

— ~~Enforcing Agency~~— State or local agency specified by applicable provisions of law.

— ~~Authority Cited~~— Business and Professions Code Section 4933.

— ~~Reference~~— Business and Professions Code Section 4955.

12-1-101.11.4.4 Board of Pharmacy.

— ~~Application~~— Pharmacies.

— ~~Enforcing Agency~~— State or local agency specified by applicable provisions of law.

— ~~Authority Cited~~— Business and Professions Code Section 4008.

— ~~Reference~~— Business and Professions Code Sections 4008 and 4081.

12-1-101.11.4.5 Board of Examiners in Veterinary Medicine.

— ~~Application~~— Veterinary facilities.

— ~~Enforcing Agency~~— State or local agency specified by applicable provisions of law.

— ~~Authority Cited~~— Business and Professions Code Section 4808.

— ~~Reference~~— Business and Professions Code Section 4854.

12-1-101.11.4.6 Structural Pest Control Board.

— ~~Application~~— Structural pest control.

— ~~Enforcing Agency~~— Structural Pest Control Board.

— ~~Authority Cited~~— Business and Professions Code Sections 8516, 8525, 8538 and 8674.

— ~~Reference~~— Business and Professions Code Sections 8516, 8538 and 8674.

12-1-101.11.5 CEC—California Energy Commission.

— ~~Application~~— All occupancies.

— ~~Enforcing Agency~~— Local building department or the California Energy Commission.

— ~~Authority Cited~~— Public Resources Code Sections 25402, 25920 and 25922.

— ~~Reference~~— Public Resources Code Sections 25402, 25910, 25920, 25921 and 25922.

12-1-101.11.6 DHS—Department of Health Services.

— ~~Application~~— (1) Section 305.5 applies to organized camps; (2) Section 431A applies to organized camps; (3) Section 432A applies to laboratory animal quarters; (4) Chapter 31B applies to public swimming pools and organized camps; (5) Chapter 31C applies to radiation protection; (6) Chapter 31D applies to commissaries serving mobile food preparation vehicles; (7) Section 433A applies to wild animal quarantine facilities.

— ~~Enforcing Agency~~— The Department of Health Services and the local health officer.

— ~~Authority Cited~~— Health and Safety Code Sections 102, 208, 436.50, 18897.2, 24102, 25811, 25990.5 and 27502.

— ~~Reference~~— Health and Safety Code Sections 102, 208, 436.50, 18897.2, 24102, 25811, 25990.5 and 27791.

12-1-101.11.7 DOSH—Division of Occupational Safety and Health.

— ~~Application~~— Places of employment.

— ~~Enforcing Agency~~— Division of Occupational Safety and Health.

— ~~Authority Cited~~— Labor Code Section 142.3.

— ~~Reference~~— Labor Code Section 142.3.

12-1-101.11.8 DWR—Department of Water Resources.

— ~~Application~~— Single family residences that construct, install or alter gray water systems for landscape irrigation.

— ~~Enforcing Agency~~— Local building department or the Department of Water Resources.

— ~~Authority Cited~~— Water Code Sections 14875 through 14877.3.

— ~~Reference~~— Water Code Sections 14875 through 14877.3.

~~12-1-101.11.9 HCD 1—Department of Housing and Community Development.~~

~~—Application—Hotels, motels, lodging houses, apartment houses, dwellings, employee housing and factory-built housing.~~

~~—Access and adaptability requirements for the physically disabled shall apply to all newly constructed privately funded covered multifamily dwelling units in buildings having three or more dwelling units and privately funded shelters intended for occupancy as residences for homeless persons. These regulations do not apply to buildings containing less than four condominium dwelling units. These regulations also do not apply to the repair of, rehabilitation of or additions to privately funded apartment houses, condominiums or time-share units.~~

~~—Each building on a building site shall be considered separately when determining applicability of these regulations.~~

~~—The percentage of ground-floor dwelling units in nonelevator buildings required to be adaptable and on an accessible route shall be determined by the use of Chapter 11A. All other ground-floor dwelling units in nonelevator buildings shall be made to comply with the following requirements:~~

- ~~1. Grab bar reinforcement (Chapter 11A)~~
- ~~2. Thirty-two-inch (813 mm) clear door interior opening width (Chapter 11A)~~
- ~~3. Lever hardware (Chapter 10)~~
- ~~4. Door signal devices (Chapter 11A)~~
- ~~5. Clear space by doors (Chapters 10 and 11A)~~
- ~~6. Minimum 15-inch (381 mm) water closet seat height (Chapter 11A)~~
- ~~7. Electrical receptacle outlet height [Article 210-7 (g.1), California Electrical Code, Title 24, Part 3]~~
- ~~8. Lighting and environmental control height [Article 380-8 (c.1), California Electrical Code, Title 24, Part 3]~~
- ~~9. Faucet controls, California Plumbing Code, Title 24, Part 5~~
- ~~10. Water closet, bathtub and lavatory minimum space requirements (Chapter 11A)~~
- ~~11. Removable cabinets under the kitchen sink counter area (Chapter 11A)~~

~~—Enforcing Agency—Local building department or the Department of Housing and Community Development.~~

~~—Authority Cited—Health and Safety Code Sections 17921, 50558 and 50559.~~

~~—Reference—Health and Safety Code Sections 17000 through 17060, 17910 through 17990, 50558 and 50559.~~

~~12-1-101.11.10 HCD 2—Department of Housing and Community Development.~~

~~—Application—Permanent buildings and accessory buildings in mobile home parks, and special-occupancy parks.~~

~~—Enforcing Agency—Local building department or the Department of Housing and Community Development.~~

~~—Authority Cited—Health and Safety Code Section 18300.~~

~~—Reference—Health and Safety Code Sections 18000 through 18700.~~

~~12-1-101.11.11 DSA/AC—Access Compliance, Division of the State Architect.~~

~~—General. To assure that barrier-free design is incorporated in all buildings, facilities, site work and other improvements to which this code applies in compliance with state law to assure that these improvements are accessible to and usable by persons with disabilities. Additions, alterations and structural repairs in all buildings and facilities shall comply with these provisions for new buildings, except as otherwise provided and specified herein. The provisions of these regulations shall apply to any portable buildings leased or owned by a school district, and shall also apply to temporary and emergency buildings and facilities.~~

~~—In addition, to incorporate standards at least as restrictive as those required by the federal government for barrier-free design under (1) Title III (Public Accommodations and Commercial Facilities), Subpart D (New Construction and Alteration) and Appendix A (Americans with Disabilities Act Accessibility Guidelines) (see 28 C.F.R., Part 36), and (2) Title II (Public Entities), Section 35.151 (New Construction and Alterations) (see 28 C.F.R., Part 35) both from the Americans with Disabilities Act of 1990, and (3) under the Fair Housing Amendments of 1988. Some of these regulations may be more stringent than state law in order to meet the federal requirement.~~

~~1. **Application.** Publicly funded buildings, structures, sidewalks, curbs and related facilities shall be accessible to persons with disabilities as follows:~~

~~**NOTE:** See Government Code commencing with Section 4450.~~

~~1.1 All buildings, structures, sidewalks, curbs and related facilities constructed by the use of state, county or municipal funds, or the funds of any political subdivision of the state.~~

~~1.2 All buildings, structures and facilities, occupied 50 percent or more, which are leased, rented, contracted, sublet or hired for periods in excess of two years by any municipal county, or state division of government, or by a special district. The determination as to whether the building, structure or facility is occupied 50 percent or more shall be based on the usable floor area as defined in this code.~~

~~1.3 All publicly funded buildings used for congregational residences or for one or two-family dwelling unit purposes shall conform to the provisions applicable to living accommodations.~~

~~1.4 All existing publicly funded buildings and facilities when alterations, structural repairs or additions are made to such buildings or facilities. For detailed requirements on existing buildings, see Chapter 11B, Division IV.~~

~~1.5 With respect to buildings, structures, sidewalks, curbs and related facilities not requiring a building permit, building standards published in the California Building Standards Code relating to access for persons with disabilities and other regulations adopted pursuant to Government Code Section 4450, and in effect at the time construction is commenced, shall be applicable.~~

~~2. **Application.** All privately funded public accommodations, as defined, and commercial facilities, as defined, shall be accessible to persons with physical disabilities as follows:~~

~~**NOTE:** See Health and Safety Code commencing with Section 19952.~~

~~**EXCEPTION:** Certain types of privately funded multistory buildings do not require installation of an elevator to provide access above and below the first floor. See Chapter 11B.~~

~~**NOTE:** Exceptions for multistoried buildings formerly located in this section have been moved to Chapter 11B.~~

~~2.1 Any building, structure, facility, complex, or improved area, or portions thereof, which are used by the general public.~~

~~2.2 Any sanitary facilities which are made available for the public, clients or employees in such accommodations or facilities.~~

~~2.3 Any curb or sidewalk intended for public use that is constructed in this state with private funds.~~

~~2.4 All existing privately funded public accommodations when alterations, structural repairs or additions are made to such public accommodations as set forth under Chapter 11B.~~

~~3. **Enforcing Agency.**~~

~~3.1 The director of General Services where state funds are utilized for any project where funds of counties, municipalities or other political subdivisions are utilized for the construction of elementary, secondary or community college projects.~~

~~3.2 The governing bodies where funds of counties, municipalities or other political subdivisions are utilized except as otherwise provided above.~~

~~3.3 The building department of every city, county, or city and county within the territorial area of its city, county, or city and county, where private funds are utilized. "Building department" means the department, bureau or officer charged with the enforcement of laws or ordinances regulating the erection or construction, or both the erection and construction, of buildings.~~

~~4. **Special Conditions for Persons with Disabilities Requiring Appeals Action Ratification.** Whenever reference is made in these regulations to this section, the findings and determinations required to be rendered by the local enforcing agency shall be subject to ratification through an appeals process.~~

~~5. **Authority Cited—Government Code Section 4450.**~~

~~6. **Reference—Government Code Sections 4450 through 4458 and Health and Safety Code Sections 19952 through 19959.**~~

~~12-1-101.11.12 **DSA/SSS—Division of the State Architect, Structural Safety Section.**~~

~~—Application—Public elementary and secondary schools, community college buildings and state-owned or state-leased essential services buildings.~~

~~—Enforcing Agency—Structural Safety Section, Division of the State Architect.~~

~~—Authority Cited—Education Code Sections 17310 and 81142, and Health and Safety Code Section 16022.~~

~~—Reference—Education Code Sections 17280 through 17316, and 81130 through 81147, and Health and Safety Code Sections 16000 through 16023.~~

~~—The Structural Safety Section of the Division of the State Architect has been delegated the responsibility and authority by the Department of General Services to supervise and review the design and observe the construction of public school buildings and state-owned or state-leased essential services buildings.~~

~~—The applicable building standards are as follows:~~

~~1. **Administrative Regulations.**~~

~~1.1 School Buildings; Sections 4-201 through 4-249, Group 1, Chapter 4, Part 1, Title 24, California Code of Regulations.~~

~~1.2 Hospital Buildings; Chapter 7, Part 1, Title 24, California Code of Regulations.~~

~~—1.3 State-owned or State-leased Essential Services Buildings; Sections 4-201 through 4-249, Chapter 4, Part 1, Title 24,~~

~~—California Code of Regulations.~~

~~2. **Technical Regulations.**~~

~~—Various model codes adopted by reference into the State Building Standards Code, Title 24, Parts 2, 3, 4, 5 and~~

7, California Code of Regulations, for school buildings, structural systems and related details of hospital buildings and state-owned or state-leased essential service buildings.

12-1-101.11.13 OSHPD—Office of Statewide Health Planning and Development.

1. OSHPD 1

~~—Application—General acute care hospitals and acute psychiatric hospitals. For Structural Regulations: Skilled nursing facilities and/or intermediate care facilities except those skilled nursing facilities and intermediate care facilities of single-story, Type V, wood or light steel frame construction~~

~~—Enforcing Agency—OSHPD. The office shall enforce the Division of the State Architect access compliance regulations and the regulations of the Office of the State Fire Marshal for the above stated facility types.~~

~~—Authority Cited—H&SC §446.2, 446.3, 1275 and 15055.~~

~~—Reference—H&SC §446.2, 446.3, 1275 and 15000 through 15093, H&SC §199958 and H&SC §15001.~~

2. OSHPD 2

~~—Application—Skilled nursing facilities and intermediate care facilities. For structural regulations: Single-story, Type V skilled nursing and/or intermediate care facilities utilizing wood or light steel frame construction.~~

~~—Enforcing Agency—OSHPD. The office shall also enforce the Division of the State Architect access compliance regulations and the regulations of the Office of the State Fire Marshal for the above stated facility type.~~

~~—Authority Cited—H&SC §446.2, 446.3, 1275 and 15055.~~

~~—Reference—H&SC §446.2, 446.3, 1275 and 15001.~~

3. OSHPD 3

~~—Application—Clinics.~~

~~—Enforcing Agency—Local building department.~~

~~—Authority Cited—H&SC §446.2, 446.3 and 1226.~~

~~—Reference—H&SC §446.2, 446.3 and 1226, GC §54350, H&SC §15071.1 and State Constitution Article 11 §7.~~

4. OSHPD 4

~~—Application—Correctional Treatment Centers.~~

~~—Enforcing Agency—Office of Statewide Health Planning and Development. The Office shall also enforce the Division of the State Architect access compliance regulations and the regulations of the Office of the State Fire Marshal for the above stated facility types.~~

~~—Authority Cited—H&SC §127010, 127015 and 1226.~~

~~—Reference—H&SC §127010, 127015, 1275 and 129675 through 129990.~~

12-1-101.11.14 SFM—Office of the State Fire Marshal.

~~—Any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home, school or any similar occupancy of any capacity.~~

~~—Any theater, dancehall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.~~

~~—Any building or structure which is open to the public and is used or intended to be used for the showing of motion pictures when an admission fee is charged and when the building or structure has a capacity of 10 or more persons.~~

~~—Authority Cited—Health and Safety Code Section 13143.~~

~~—Reference—Health and Safety Code Section 13143.~~

—Small Family Day-care Homes

~~—Authority Cited—Health and Safety Code Sections 1597.45, 1597.54, 13143 and 17921.~~

~~—Reference—Health and Safety Code Section 13143.~~

—Large Family Day-care Homes

~~—Authority Cited—Health and Safety Code Sections 1597.46, 1597.54 and 17921.~~

~~—Reference—Health and Safety Code Section 13143.~~

—Residential Facilities and Residential Facilities for the Elderly

~~—Authority Cited—Health and Safety Code Section 13133.~~

~~—Reference—Health and Safety Code Section 13143.~~

—Any state institution or other state-owned or state-occupied building.

~~—Authority Cited—Health and Safety Code Section 13108.~~

~~—Reference—Health and Safety Code Section 13143.~~

—High-rise Structures

~~—Authority Cited—Health and Safety Code Section 13211.~~

~~—Reference—Health and Safety Code Section 13143.~~

—Motion Picture Production Studios

~~—Authority Cited—Health and Safety Code Section 13143.1.~~

~~—Reference—Health and Safety Code Section 13143.~~

~~—Organized Camps~~

~~—Authority Cited—Health and Safety Code Section 18807.3.~~

~~—Reference—Health and Safety Code Section 13143.~~

~~—All hotels, motels, lodging houses, apartment houses and dwellings, including congregate residences and buildings and structures accessory thereto.~~

~~—Multiple-story structures existing on January 1, 1975, lot for human habitation, including and limited to, hotels, motels, apartment houses, less than 75 feet (22 860 mm) above the lowest floor level having building access, wherein rooms used for sleeping are lot above the ground floor.~~

~~—Authority Cited—Health and Safety Code Sections 13143.2 and 17921.~~

~~—Certified family care homes, out-of-home placement facilities, halfway houses, drug and/or alcohol rehabilitation facilities and any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency.~~

~~—Authority Cited—Health and Safety Code Section 13143.6.~~

~~—Tents, awnings or other fabric enclosures used in connection with any occupancy.~~

~~—Authority Cited—Health and Safety Code Section 13116.~~

~~—Enforcing Agency—Pursuant to Section 13146, Health and Safety Code:~~

~~The responsibility for enforcement of building standards adopted by the state fire marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the Office of the State Fire Marshal shall be as follows:~~

~~1. The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the state fire marshal as they relate to Group R, Division 3 dwellings, as described in Section 310.1 of Part 2 of the California Building Standards Code, to either of the following:~~

~~1.1 The chief of the fire authority of the city, county, or city and county, or an authorized representative.~~

~~1.2 The chief building official of the city, county, or city and county, or an authorized representative.~~

~~2. The chief of any city or county fire department or of any fire protection district, and authorized representatives, shall enforce within the jurisdiction the building standards and other regulations of the state fire marshal, except those described in Item 1 or 4.~~

~~3. The state fire marshal shall have authority to enforce the building standards and other regulations of the state fire marshal in areas outside of corporate cities and districts providing fire protection services.~~

~~4. The state fire marshal shall have authority to enforce the building standards and other regulations of the state fire marshal in corporate cities and districts providing fire protection services on request of the chief fire official or the governing body.~~

~~5. Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged pursuant to Section 66014 of the Government Code.~~

~~**12-1-101.11.15 SHB—State Historical Building Code Advisory Board, Division of the State Architect.**~~

~~—Application—Qualified historical buildings and structures and their associated sites.~~

~~—Enforcing Agency—State or local agency specified by the applicable provisions of law.~~

~~—Authority Cited—Health and Safety Code Section 18959.5.~~

~~—Reference—Health and Safety Code Sections 18950 through 18961.~~

~~**12-1-101.11.16 SL—State Librarian.**~~

~~—Application—Public library construction and renovation using funds from the California Library Construction and Renovation Bond Act of 1988.~~

~~—Enforcing Agency—State Librarian.~~

~~—Authority Cited—Education Code Section 19960.~~

~~—Reference—Education Code Sections 19950 through 19981.~~

~~**12-1-101.11.17 YA—Department of Youth Authority.**~~

~~—Application—Juvenile halls.~~

~~—Enforcing Agency—Department of Youth Authority.~~

~~—Authority Cited—Welfare and Institutions Code Sections 210 and 1712.~~

~~—Reference—Welfare and Institutions Code Sections 210 and 1712.~~

Section 12-1-102—UNSAFE BUILDINGS OR STRUCTURES

All buildings or structures regulated by this code which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Any use of buildings or structures constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the

purpose of this section, an unsafe use. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in this code are hereby designated as unsafe building appendages.

~~All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedures as may have been or as may be adopted by this jurisdiction. As an alternative, the building official, or other employee or official of this jurisdiction as designated by the governing body, may institute any other appropriate action to prevent, restrain, correct or abate the violation.~~

12-1-102.1 [For SFM] Fire Hazard. ~~No person, including but not limited to the state and its political subdivisions, operating any occupancy subject to these regulations shall permit any fire hazard, as defined in this section, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.~~

NOTE: ~~"Fire hazard" as used in these regulations means any condition, arrangement or act which will increase, or may cause an increase of, the hazard or menace of fire to a greater degree than customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder, or may become the cause of obstruction, delay or hindrance to the prevention, suppression or extinguishment of fire.~~

Section 12-1-103—VIOLATIONS

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

12-1-103.1 [For SFM] ~~Pursuant to Health and Safety Code Section 13112, any person who violates any order, rule or regulation of the state fire marshal is guilty of a misdemeanor punishable by a fine of not less than \$100.00 or more than \$500.00, or by imprisonment for not less than six months, or by both. A person is guilty of a separate offense each day during which he or she commits, continues or permits a violation of any provision of, or any order, rule or regulation of, the state fire marshal as contained in this code.~~

~~Any inspection authority who, in the exercise of his or her authority as a deputy state fire marshal, causes any legal complaints to be filed or any arrest to be made shall notify the state fire marshal immediately following such action.~~

Section 12-1-104—ORGANIZATION AND ENFORCEMENT

12-1-104.1 Creation of Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official.

12-1-104.2 Powers and Duties of Building Official.

12-1-104.2.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer.

~~[For SFM] Pursuant to Health and Safety Code Section 13146, the responsibility for enforcement of building standards adopted by the state fire marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the state fire marshal shall be as follows:~~

~~1. The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the state fire marshal as they relate to Group R, Division 3 dwellings, as described in Section 1201 of Part 2 of the California Building Standards Code, to either of the following:~~

~~1.1 The chief of the fire authority of the city, county, or city and county, or an authorized representative.~~

~~1.2 The chief building official of the city, county, or city and county, or an authorized representative.~~

~~2. The chief of any city or county fire department or of any fire protection district, and his or her authorized representatives, shall enforce within its jurisdiction the building standards and other regulations of the state fire marshal, except those described in Item 1 or 4.~~

~~3. The state fire marshal shall have authority to enforce the building standards and other regulations of the state fire marshal in areas outside of corporate cities and districts providing fire protection services.~~

~~4. The state fire marshal shall have authority to enforce the building standards and other regulations of the state fire marshal in corporate cities and districts providing fire protection services upon request of the chief fire official or the governing body.~~

~~5. Any fee charged pursuant to the enforcement authority of this section shall not exceed the estimated reasonable cost of providing the service for which the fee is charged, pursuant to Section 66014 of the Government Code.~~

~~Pursuant to Health and Safety Code Section 13108, upon the written request of the chief fire official of any city, county or fire protection district, the state fire marshal may authorize such chief fire official and his or her authorized representatives, in their geographical area of responsibility, to make fire prevention inspections of state-owned or state-occupied buildings, other than state institutions, for the purpose of enforcing the regulations relating to fire and panic safety adopted by the state fire marshal pursuant to this section and building standards relating to fire and panic safety published in the State Building Standards Code. Authorization from the state fire marshal shall be limited to those fire departments or fire districts which maintain a fire prevention bureau staffed by paid personnel.~~

~~Pursuant to Health and Safety Code Section 13108, any requirement or order made by any chief fire official who is authorized by the state fire marshal to make fire prevention inspections of state-owned or state-occupied buildings, other than state institutions, may be appealed to the state fire marshal. The state fire marshal shall, upon receiving an appeal and subject to the provisions of Chapter 5 (commencing with Section 18945) of Part 2, 5 of Division 13 of the Health and Safety Code, determine if the requirement or order made is reasonably consistent with the fire and panic safety regulations adopted by the Office of the State Fire Marshal and building standards relating to fire and panic safety published in the California Building Code.~~

~~The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.~~

~~[For SFM] Any person may request a code interpretation from the state fire marshal relative to the intent of any regulation or provision adopted by the state fire marshal. When the request relates to a specific project, occupancy or building, the state fire marshal shall review the issue with the appropriate local enforcing agency prior to rendering such code interpretation.~~

12-1-104.2.2 Deputies. ~~In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.~~

12-1-104.2.3 Right of entry. ~~When it is necessary to make an inspection to enforce the provisions of this code, or when the building official has reasonable cause to believe that there exists in a building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.~~

~~[For SFM] The fire chief of any city, county or fire protection district, or such person's authorized representative, may enter any state institution or any other state-owned or state-occupied building for the purpose of preparing a fire suppression preplanning program or for the purpose of investigating any fire in a state-occupied building.~~

~~[For SFM] The state fire marshal, his or her deputies or salaried assistants, the chief of any city or county fire department or fire protection district and his or her authorized representatives may enter any building or premises not used for dwelling purposes at any reasonable hour for the purpose of enforcing this chapter. The owner, lessee, manager or operator of any such building or premises shall permit the state fire marshal, his or her deputies or salaried assistants and the chief of any city or county fire department or fire protection district and his or her authorized representatives to enter and inspect them at the time and for the purpose stated in this section.~~

12-1-104.2.4 Stop orders. ~~Whenever any work is being done contrary to the provisions of this code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.~~

12-1-104.2.5 Occupancy violations. ~~Whenever any building or structure or equipment therein regulated by this code is being used contrary to the provisions of this code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of this code.~~

12-1-104.2.6 Liability. ~~The building official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of any provision of~~

such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

12-1-104.2.7 Modifications. When there are practical difficulties involved in carrying out the provisions of this code, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of this code impractical and that the modification is in conformance with the intent and purpose of this code and that such modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered in the files of the code enforcement agency.

12-1-104.2.8 Alternate materials, alternate design and methods of construction. The provisions of this code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the building official.

—The building official may approve any such alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

12-1-104.2.9 Tests. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to this jurisdiction.

—Test methods shall be as specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

12-1-104.2.10 Cooperation of other officials and officers. The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

Section 12-1-105 — BOARD OF APPEALS

12-1-105.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

12-1-105.1.1 [For SFM] Right to Appeal. For clarification purposes, the applicable subsection of the Health and Safety Code section is repeated.

Sec. 18945. Any person adversely affected by any regulation, rules, omission, interpretation, decision or practice of any state agency, respecting the administration of any building standard may appeal the issue for resolution to the Building Standards Commission.

If any local agency having authority to enforce a state building standard and any person adversely affected by any regulation, rule, omission, interpretation, decision or practice of such agency respecting such building standard both wish to appeal the issue for resolution to the commission, then both parties may appeal to the commission. The commission may accept such appeal only if the commission determines that the issues involved in such appeal have statewide significance.

12-1-105.2 Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

Section 12-1-106 — PERMITS

12-1-106.1 Permits Required. Except as specified in Section 12-1-106.2 of this section, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official.

12-1-106.2 Work Exempt from Permit. A building permit shall not be required for the following:

- ~~1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet (11.15 m²).~~
- ~~2. Fences not over 6 feet (1829 mm) high.~~
- ~~3. Oil derricks.~~
- ~~4. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.~~
- ~~5. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.~~
- ~~6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.~~
- ~~7. Platforms, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.~~
- ~~8. Painting, papering and similar finish work.~~
- ~~9. Temporary motion picture, television and theater stage sets and scenery.~~
- ~~10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches (1372 mm).~~
- ~~11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18,927 L).~~
- ~~12. [For SFM] State-owned buildings under the jurisdiction of the state fire marshal.~~

~~Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.~~

~~Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.~~

12-1-106.3 Application for Permit.

12-1-106.3.1 Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

- ~~1. Identify and describe the work to be covered by the permit for which application is made.~~
- ~~2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.~~
- ~~3. Indicate the use or occupancy for which the proposed work is intended.~~
- ~~4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 12-1-106.3.2.~~
- ~~5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.~~
- ~~6. Be signed by the applicant, or the applicant's authorized agent.~~
- ~~7. Give such other data and information as may be required by the building official.~~

12-1-106.3.2 Submittal documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

EXCEPTION: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

12-1-106.3.3 Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

~~12-1-106.3.3.1 [For DSA/SS] Public Schools. Plans and specifications for the construction, alteration or addition to any building owned, leased or rented by any public school district shall be submitted to the Division of the State Architect, Office of Regulation Services for review and approval.~~

~~[For SFM] EXCEPTIONS: 1. Plans and specifications submitted to the Division of the State Architect.~~

~~2. Upon the annual submission of a written request by the chief of any city, county, or city and county fire department or fire protection district to the Division of the State Architect, Office of Regulation Services, approvals required by this subsection shall be obtained from the appropriate chief or his or her authorized representative. In such instances plans and specifications may be submitted to the state fire marshal for relay to the appropriate local authority or may be submitted directly to such local authority.~~

~~[For SFM] Movable Walls and Partitions. Plans or diagrams shall be submitted to the enforcing agency for approval before the installation of, or rearrangement of, any movable wall or partition in any occupancy. Approval shall be granted only if there is no increase in the fire hazard.~~

~~[For SFM] New Construction High-rise Buildings. 1. Complete plans or specifications, or both, shall be prepared covering all work required to comply with new construction high-rise buildings. Such plans and specifications shall be submitted to the enforcing agency having jurisdiction.~~

~~2. All plans and specifications shall be prepared under the responsible charge of an architect or a civil or structural engineer authorized by law to develop construction plans and specifications, or by both such architect and engineer. Plans and specifications shall be prepared by an engineer duly qualified in that branch of engineering necessary to perform such services. Administration of the work of construction shall be under the charge of the responsible architect or engineer except that where plans and specifications involve alterations or repairs, such work of construction may be administered by an engineer duly qualified to perform such services and holding a valid certificate under Chapter 7 (commencing with Section 65700) of Division 3 of the Business and Professions Code for performance of services in that branch of engineering in which said plans, specifications and estimates and work of construction are applicable.~~

~~This section shall not be construed as preventing the design of fire extinguishing systems by persons holding a C-16 license issued pursuant to Division 3, Chapter 9, Business and Professions Code. In such instances, however, the responsibility charge of this section shall prevail.~~

~~[For SFM] Existing High-rise Buildings. 1. Complete plans or specifications, or both, shall be prepared covering all work required by Sections 403.11 through 403.25, Title 24, California Code of Regulations, or existing high-rise buildings. Such plans or specifications shall be submitted to the enforcing agency having jurisdiction.~~

~~2. When new construction is required to conform with the provisions of these regulations, complete plans or specifications, or both, shall be prepared in accordance with the provisions of this subsection. As used in this section "new construction" is not intended to include repairs, replacements or minor alterations which do not disrupt or appreciably add to or affect the structural aspects of the building.~~

12-1-106.3.4 Architect or engineer of record.

12-1-106.3.4.1 General. When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

12-1-106.3.4.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal

documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

12-1-106.3.5 Inspection and observation program. When special inspection is required by Section 1701, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work that require special inspection and the name or names of the individuals or firms who are to perform the special inspections, and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by Section 1702A, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

12-1-106.4 Permits Issuance.

12-1-106.4.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may ~~[for SFM]~~ shall be reviewed by other departments of this jurisdiction ~~in accordance with state law, Health and Safety Code Section 13146, in occupancies regulated by the state fire marshal in order to verify compliance with any applicable laws under their jurisdiction.~~ If the building official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section 12-1-107 have been paid, the building official shall issue a permit therefor to the applicant.

When the building official issues the permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the building official, and all work regulated by this code shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

12-1-106.4.2 Retention of plans. One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

12-1-106.4.3 Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction.

12-1-106.4.4 Expiration. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

12-1-106.4.5 Suspension or revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

Section 12-1-107—FEES

12-1-107.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

12-1-107.2 Permit Fees. The fee for each permit shall be as set forth in Table 12-1A.

The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

12-1-107.3 Plan Review Fees. When submittal documents are required by Section 12-1-106.3.2, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 12-1A.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 12-1-107.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 12-1-106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 12-1A.

12-1-107.4 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

12-1-107.5 Investigation Fees: Work without a Permit.

12-1-107.5.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

12-1-107.5.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 12-1A. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

12-1-107.6 Fee Refunds. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

~~**[For SFM] Other Fees.** Pursuant to Health and Safety Code Section 13146.2, a city, county or district which inspects a hotel, motel, lodging house, or apartment house may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county or district, sufficient to pay its costs of that inspection.~~

~~Pursuant to Health and Safety Code Section 1597.46, Large Family Day-care Homes, the local government shall process any required permit as economically as possible, and fees charged for review shall not exceed the costs of the review and permit process.~~

~~Pursuant to Health and Safety Code Section 13217, High-rise Structure Inspection: Fees and Costs, a local agency which inspects a high-rise structure pursuant to Health and Safety Code Section 13217 may charge and collect a fee for the inspection from the owner of the high-rise structure in an amount, as determined by the local agency, sufficient to pay its costs of that inspection.~~

~~Pursuant to Health and Safety Code Section 13235, Fire Clearance Preinspection, fee: upon receipt of a request from a prospective licensee of a community care facility, as defined in Section 1502, of a residential care facility for the elderly, as defined in Section 1569.2, or of a child day care facility, as defined in Section 1596.750, the local fire enforcing agency, as defined in Section 13244, or state fire marshal, whichever has primary jurisdiction, shall conduct a preinspection of the facility prior to the final fire clearance approval. At the time of the preinspection, the primary fire enforcing agency shall provide consultation and interpretation of the firesafety regulations, and shall notify the prospective licensee of the facility in writing of the specific firesafety regulations which shall be enforced in order to~~

~~obtain fire clearance approval. A fee of not more than \$50.00 may be charged for the preinspection of a facility with a capacity to serve 25 or fewer persons. A fee of not more than \$100.00 may be charged for a preinspection of a facility with a capacity to serve 26 or more persons.~~

~~The primary fire enforcing agency shall complete the final fire clearance inspection for a community care facility, residential care facility for the elderly, or child day care facility within 30 days of receipt of the request for the final inspection, or as of the date the prospective facility requests the final preclearance inspection by the State Department of Social Services, whichever is later.~~

~~Pursuant to Health and Safety Code Section 13235, a preinspection fee of not more than \$50 may be charged for a Group R, Division 2 facility with a capacity to serve 25 or less clients. A fee of not more than \$100 may be charged for a preinspection of a facility with a capacity to serve 26 or more clients.~~

~~Pursuant to Health and Safety Code Section 13131.5, a reasonable final inspection fee, not to exceed the actual cost of inspection services necessary to complete a final inspection may be charged for Group R, Division 2.1 Occupancies classified as residential care facilities for the elderly (RCFE).~~

~~Pursuant to Health and Safety Code Section 1569.84, neither the state fire marshal nor any local public entity shall charge any fee for enforcing fire inspection regulations pursuant to state law or regulation or local ordinance, with respect to residential care facilities for the elderly which service six or fewer persons.~~

~~Whenever a local authority having jurisdiction requests that the state fire marshal perform plan review and/or inspection services related to a building permit, the applicable fees for such shall be payable to the Office of the State Fire Marshal.~~

Section 12-1-108 — INSPECTIONS

12-1-108.1 General. ~~All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in Section 1701.5.~~

~~Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.~~

~~It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.~~

~~A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.~~

12-1-108.2 Inspection Record Card. ~~Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.~~

12-1-108.3 Inspection Requests. ~~It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.~~

~~It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.~~

12-1-108.4 Approval Required. ~~Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.~~

~~There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.~~

12-1-108.5 Required Inspections.

12-1-108.5.1 General. ~~Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.~~

~~The building official, upon notification, shall make the inspections set forth in the following subsections.~~

12-1-108.5.2 Foundation inspection. ~~To be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All~~

materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with UBC Standard 19-3, the concrete need not be on the job. Where the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

12-1-108.5.3 Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

12-1-108.5.4 Frame inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

12-1-108.5.5 Lath or gypsum board inspection. To be made after all lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

12-1-108.5.6 Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

12-1-108.6 Special Inspections. For special inspections, see Chapter 17.

12-1-108.7 Other Inspections. In addition to the called inspections specified above, the building official may make or require other inspections of any construction work *[for SFM] including, but not limited to, fire protection and detection systems* to ascertain compliance with the provisions of this code and other laws which are enforced by the code enforcement agency.

12-1-108.8 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table 12-1A or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 12-1-109 — CERTIFICATE OF OCCUPANCY

12-1-109.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein.

EXCEPTION: Group R, Division 3 and Group U Occupancies.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

12-1-109.2 Change in Use. Changes in the character or use of a building shall not be made except as specified in Section 3405 of this code.

12-1-109.3 Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.

12-1-109.4 Temporary Certificate. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure.

12-1-109.5 Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

12-1-109.6 Revocation. The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

TABLE 12-1A—BUILDING PERMIT FEES

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$21.00
\$501.00 to \$2,000.00	\$21.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$62.25 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$349.75 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$574.75 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$887.25 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,887.25 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,012.25 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00, or fraction thereof
Other Inspections and Fees:	
1. Inspections outside of normal business hours (minimum charge—two hours).....	
\$42.00 per hour*	
2. Reinspection fees assessed under provisions of Section 12-1-108.8.....	
\$42.00 per hour*	
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour).....	
\$42.00 per hour*	
4. Additional plan review required by changes, additions or revisions to plans (minimum charge—one-half hour).....	
\$42.00 per hour*	
5. For use of outside consultants for plan checking and inspections, or both.....	
Actual costs**	

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

Notation

Authority: Health & Safety Code Section 18934.5

Reference(s): Health & Safety Code, Division 13, Part 2.5, commencing with section 18901.

ITEM 23-1 – Committee Recommendations

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(END OF ITEM)

Chapter 12-4A:

Chapter 12-4A
LABORATORY ANIMAL QUARTER STANDARDS
STANDARD 12-4A-1

Department of Health Services

Authority: Sections 102, 208 and 25811.

Reference: Sections 102, 208 and 436.5.

Laboratory Animal Quarters

Sec. 12-4A-101. Laboratory animal quarters shall comply with Chapter IV, "Guide for Care and Use of Laboratory Animals," U.S. Department of Health, Education and Welfare, Publication Number 85-23, Revised 1985.

Chapter 12-13:

Chapter 12-13
STANDARDS FOR INSULATING MATERIAL
(See Part 6, Title 24, C.C.R.)

DEPARTMENT OF CONSUMER AFFAIRS

Bureau of Home Furnishings and Thermal Insulation

Article 3. Standards for Insulating Material

Application and Scope

Sec. 12-13-1551.

(a) This article establishes standards governing the quality of insulation sold within the state after September 22, 1981, including those properties which affect the safety and thermal performance of insulation during application and in the use intended.

(b) The provisions of this article shall apply only to the following types of insulating material:

1. Aluminum foil (reflective foil);
2. Cellular glass (board form);
3. Cellulose fiber (loose fill and spray applied);
4. Mineral aggregate (board form);
5. Mineral fiber (blankets, board form, loose fill);
6. Perlite (loose fill);
7. Polystyrene (board form, molded and extruded);
8. Polyurethane (board form and field applied);
9. Polyisocyanurate (board form and field applied);
10. Urea formaldehyde foam (field applied);
11. Vermiculite (loose fill).

(c) The provisions of this article shall apply to the sale of insulating material within the state. The provisions of this article shall not apply to insulating material manufactured in California, but sold outside the state, nor to insulating material manufactured outside California and sold wholesale in California for final retail sale outside the state. For the purpose of this article, the sale of a building or an appliance which contains installed insulating material is not considered the sale of the insulating material.

(d) Any type of insulating material not listed in subsection (b) may be sold within California notwithstanding any other provision of this article.

Authority cited: Sections 25920 and 25922, Public Resources Code.

Reference: Sections 25910, 25920, 25921 and 25922, Public Resources Code.

HISTORY:

1. Repealer of Article 3 (Sections 1551–1561) filed 8–11–78; effective thirtieth day thereafter (Register 78, No. 32). For prior history, see Registers 76, No. 16; 78, Nos. 2 and 26.
2. New Article 3 (Sections 1551–1565) filed 1–16–79; effective thirtieth day thereafter (Register 79, No. 3).
3. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).

Definitions

Sec. 12–13–1552. For purposes of this article, the following definitions shall apply:

(a) **“Approved laboratory”** means any testing facility including a facility owned or operated by a manufacturer which has been approved pursuant to Section 1554 of this article.

(b) **“ANSI”** means the American National Standards Institute.

(c) **“ASTM”** means the American Society for Testing and Materials.

(d) **“Building materials”** means materials used in walls, ceilings, roofs and floors of buildings.

(e) **“Exposed application”** means any interior application of the product in which it is not used in a construction assembly imposing a material which meets the requirements of Chapter 8 of the *Uniform Building Code* in substantial contact with the facing or membrane surface.

(f) **“Installed design density”** means the proven density for loose fill insulation other than cellulose which has been determined by the manufacturer to constitute the density whereby settlement of no more than 2 percent shall occur over the first three years, or no more than 4 percent over the first 15 years of installation.

(g) **“Insulating material” or “insulation”** means any material listed in Section 1551 (b) of this article and placed within or contiguous to a wall, ceiling, roof, or floor of a room or building, or contiguous to the surface of any appliance or its intake or outtake mechanism, for the purpose of reducing heat transfer or reducing adverse temperature fluctuations of the building room or appliance.

(h) **“Manufacturer”** means any person who either:

1. Produces insulating material in the final composition either for use in the form sold or to be further dimensionally modified; or
2. In the case of polyurethane, polyisocyanurate and urea formaldehyde foam formed at the installation site, produces the primary components of the material.

“Manufacturer” shall not include any building contractor or any other person whose sole activity is to install insulation at the installation site.

(i) **“Quality assurance program.” (Reserved)**

(j) **“Recommended wall density”** means the density used for pressure fill retrofit wall applications to prevent settling.

(k) **“Representative sample”** means a sample of insulating material with the same characteristics (other than thickness) and using the same facing imposed on the insulating material manufactured for final use.

(l) **“Representative thickness”** means a thickness of insulating material at which the change in thermal performance per inch will vary no more than plus or minus 2 percent with increases in thickness.

(m) **“TAPPI”** means Technical Association of Pulp and Paper Industry.

(n) **“Thermal performance”** means the tested thermal conductivity, thermal conductance or thermal resistance (*R*-value), as appropriate, of an insulating material.

(o) **“Urea formaldehyde foam”** means a cellular plastic insulation material generated in a continuous stream by mixing the components which are a urea formaldehyde resin, air and a foaming agent.

Authority cited: Sections 25920 and 25922, Public Resources Code.

Reference: Sections 25915 (a), 25920, 25921 and 25922, Public Resources Code.

HISTORY:

1. Amendment filed 8–10–81; designated effective 9–22–81 (Register 81, No. 33).

Quality Standards

Sec. 12–13–1553. The manufacturer shall cause the testing of samples of insulating material for conformity with the quality standards described in this section.

(a) **General Testing Provisions.** In testing any material pursuant to this section, the following general procedures shall be used.

1. All tests with the exception of the ANSI/ASTM E 84–79 test shall be conducted using representative samples at the representative thickness of the insulation, except that when the final use of an insulating material entails a thickness less than the representative thickness, then the insulating material will be tested at the lesser thickness.

2. Where uniformity of product ensures consistency of test results across a product grouping, test results for one may be used for certification of other products within that product group. The manufacturer shall provide sufficient documentation to establish a valid basis for applying a particular test result to other products within the group.

The Executive Director shall determine whether a valid basis exists for grouping products for testing pursuant to this subsection. If it is determined that a valid basis does not exist, individual tests shall be required. A manufacturer may appeal the Executive Director's determination to the full Commission.

3. Thermal performance of building insulations shall be stated in *R* value. Other insulations shall use thermal conductivity, conductance, or *R* value as appropriate.

4. All thermal performance tests shall be conducted on materials which have been conditioned at 73.4 ± 3.6 F and a relative humidity of 50 ± 5 percent for 24 hours immediately preceding the tests. The average testing temperature shall be 75 ± 2 F with at least a 40 F temperature difference.

5. Aluminum foil insulation shall be tested according to ANSI/ASTM C 236-66 to determine the thermal performance in horizontal, upward and downward directions. The tested thermal performance in the heat-flow direction or directions of the intended application shall be labeled on the material. The manufacturer shall test once in each direction of intended application, except that for products labeled with only one heat-flow direction, the manufacturer shall test two samples in that direction.

6. Insulation (other than aluminum foil insulation materials) for which additional value is claimed for facings and air spaces shall be tested for thermal performance as a material without the air space pursuant to this article. The manufacturer may elect to report additional thermal performance values of a given construction tested according to ANSI/ASTM C 236-66 for that construction as long as full details of that construction are also disclosed in the certification statement and pursuant to Section 1557 (c) of this article. If a manufacturer elects to report a thermal performance value for a material plus an air space (as supplemental information to the required material thermal performance), but not necessarily for a full construction, the manufacturer must also disclose the conditions of the test and the limitations to the attainment of that result.

7. Except as provided in Items 5 and 6, the thermal performance test results certified under Section 1555 of this article shall be the average of the values obtained from at least three tests.

8. The average measured thermal performance of the tests required by Items 5, 6 and 7 shall not be more than 5 percent below the value specified on the product. In addition, all insulation material sold within the state after September 22, 1981, shall have a measured thermal performance not more than 10 percent below the value specified on the product.

9. All numbered test descriptions shall be contained in the document "Test Descriptions for Insulating Material" dated February 27, 1981.

10. Facings on representative samples may be removed or modified by slitting for the ANSI/ASTM C 177-76 and ANSI/ASTM C 518-76 tests.

11. All thermal performance testing equipment used for testing insulating materials shall be calibrated with samples referenced to the United States National Bureau of Standards.

12. Manufacturers of loose fill insulations for which no settled density test is required by this section shall be required to include the installed design density in the identifying information described in Section 1557. The manufacturer shall provide sufficient documentation to establish a valid basis for the determination of installed design density.

The Executive Director shall determine whether a valid basis exists for the installed design density claimed by the manufacturer. If it is determined that a valid basis does not exist, the director may assign an appropriate installed design density or may require an appropriate test to determine the installed design density. The manufacturer may appeal the Executive Director's determination to the full Commission.

13. Within 180 days after the availability of appropriate representative thickness calibration samples from the National Bureau of Standards, all insulating materials thicker than 1 inch, which have not previously been tested at the representative thickness of a representative sample, shall be tested at representative thickness and recertified. Test results and a revised certification statement will be submitted to the Executive Director. The Executive Director shall determine if and when an appropriate representative thickness calibration sample is available from the National Bureau of Standards and shall publish a list of available representative thickness calibration samples. The manufacturer may appeal the Executive Director's determination to the full Commission.

14. All products which may be used for pressure fill retrofit wall application shall be separately tested for thermal performance using a sample prepared at the manufacturer's recommended wall density for such applications.

15. All water heater insulation kits and nonpreformed pipe insulation shall be tested for thermal performance at the installed compressed thickness of a typical application. Installed compressed thickness shall be determined according to Test Description Number 6. All nonpreformed duct insulation shall be labeled, in accordance with Section 1557(c), with an installed *R*-value equal to the *R*-value of the uncompressed insulation times 0.75.

(b) Aluminum Foil.

1. **Composition.** The insulation shall have uniform flat surfaces and shall not be crumpled, torn or punctured. Aluminum foil shall contain not less than 99 percent aluminum. Kraft paper and flangeboard shall meet the requirements of ANSI/TAPPI T400 0S75. Flangeboard used for more than two insulation layers shall be of 28 point grade minimum, if single sheet flangeboard is used or 14 point grade minimum if double sheet flangeboard is used.

Adhesive used in bonding shall be waterproof and shall show no sign of bleeding when tested in accordance with the following test procedure. Bleeding at cut edges may be disregarded.

Specimens for tests shall consist of pieces of insulation cut to approximately 3 by 6 inches, suspended in a vertical position and heated to a temperature of 180 ± 5 F for at least five hours. At the end of heating period, examine the reflective surfaces to determine whether the adhesive has bled or extruded through the surface, or delamination has occurred.

2. **Thermal performance.** Thermal performance shall be determined according to ANSI/ASTM C 236-66. The test panel shall consist of a panel utilizing a wooden frame of 2 by 6 inches construction covered with $\frac{3}{4}$ -inch plywood on both sides. The resultant thermal performance shall be based on the insulation only.

3. **Size.** Layers of insulation composed of unsupported foil that is exposed shall have a minimum thickness of 0.0004 inch. Unsupported foil that is sandwiched in a multilayer sheet shall have a minimum thickness of 0.00035 inch. Foil bonded to kraft paper shall have a minimum thickness of 0.00025 inch. Minimum space between layers of a multilayer sheet shall conform with the United States General Services Administration insulation standard HH-I-1252B dated August 18, 1976.

4. **Resistance to combustion.** Surface-burning characteristics shall be determined according to the ANSI/ASTM E 84-79, and shall not exceed the following values:

Flame spread 25

Smoke developed 50

5. **Pliability.** Foil shall be folded and the folded edge smoothed using a light finger pressure. The finished insulation shall not crack when folded to 180° bend at a temperature of 70 ± 2 F and a relative humidity of 50 ± 5 percent.

(c) Cellular Glass in Board Form.

1. **Composition.** The material shall consist of a glass composition which has been foamed or cellulated under molten conditions, annealed and set to form a rigid material with hermetically sealed cells.

2. **Thermal performance.** Determination of the thermal performance shall be based on a representative sample and shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option.

3. **Resistance to combustion.** Surface-burning characteristics shall be determined according to ANSI/ASTM E 84-79, and shall not exceed the following values:

Flame spread 25

Smoke developed 50

(d) Cellulose Fiber in Loose Fill Form.

1. **Composition.** The basic material shall consist of virgin or recycled wood-based cellulosic fiber and may be made from related paper or paperboard stock, excluding contaminated materials and extraneous foreign materials such as metals and glass which may reasonably be expected to be retained in the finished product. Suitable chemicals may be introduced to improve flame resistance, processing and handling characteristics. The particles shall not be so fine as to create a dust hazard, and the added chemicals shall not create a health hazard. The materials used must be capable of proper adhesion to the additive chemicals.

2. **Thermal performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option.

3. **Density.** The density shall be determined according to the United States General Services Administration insulation standard HH-I-515D dated June 15, 1978, or as amended October 11, 1979, at the manufacturer's option. Cellulose insulation made from newsprint may use a 13 percent settling percentage along with the drop box procedure in place of the humidity cycling procedure described in HH-I-515D dated June 15, 1978. All other tests for loose fill cellulose fiber insulation prescribed by this section shall be conducted at the settled density as determined herein.

4. **Resistance to combustion.** Flammability characteristics shall comply with the standard for flammability and smoldering combustion in 44 Fed. Reg. pages 39966-39973.

5. **Resistance to fungi.** Resistance to fungi shall be determined according to Method 508 of the March 10, 1975, edition of the Military Standard for Environmental Test Methods known as MIL-STD-810C, except the spore suspensions shall be prepared using distilled water. The core of gypsum wall board shall be used as the control. After the test exposure, the test samples shall show no more fungal growth than the control material when examined at 40 times magnification.

6. **Corrosiveness.** The product shall comply with the standard for corrosiveness set forth in 44 Fed. Reg. pages 39966–39973.

7. **Odor emission.** Odor emission shall be determined according to Test Description Number 3. A detectable odor of objectionable nature observed by two or more of the panel members shall be cause for rejection.

8. **Identification.** Each insulation container shall be marked with the type (pouring or pneumatic), net weight and the manufacturer's recommendations for installation including minimum thickness, maximum coverage and settled density to provide the levels of thermal performance shown. Manufacturer's installation recommendations shall include precautions according to the National Electrical Code Section 410–66.

Insulation which may be used for pressure fill retrofit wall application shall be marked with the recommended wall density to prevent settling and separately marked with the tested thermal performance for such applications.

(e) Cellulose Fiber Spray Applied.

1. **Composition.** The basic material shall consist of virgin or recycled wood-based cellulosic fiber and may be made from related paper or paperboard stock, excluding contaminated materials and extraneous foreign materials such as metals and glass which may reasonably be expected to be retained in the finished product. Suitable chemicals may be introduced to improve flame resistance, processing, adhesive and cohesive qualities, and handling characteristics. The added chemicals shall not create a health hazard.

The basic material shall be processed into a form suitable for installation by pneumatic conveying equipment and simultaneous mixing with water and/or adhesive at the spray nozzle.

2. **Thermal performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177–76, ANSI/ASTM C 236–66, or ANSI/ASTM C 518–76 at the manufacturer's option.

3. **Resistance to combustion.** Flammability characteristics shall comply with the standard for flammability and smoldering combustion in 44 Fed. Reg. pages 39966–39973.

4. **Corrosiveness.** The product shall comply with the standard for corrosiveness set forth in 44 Fed. Reg. pages 39966–39973.

5. **Bond strength.** The bond strength shall be determined by Test Description Number 3 and the bond shall support a force five times the weight of the sample for one minute.

6. **Bond deflection.** The bond deflection shall be determined by Test Description Number 4 and shall be greater than $\frac{1}{60}$ th of the length of the sample.

7. **Air erosion.** The air erosion shall be determined by Test Description Number 5 and shall withstand an air velocity of 800 ft./min.

8. **Odor emission.** Odor emissions shall be determined by Test Description Number 1. A detectable odor of objectionable nature observed by two or more panel members shall be cause for rejection.

9. **Fungi resistance.** Resistance to fungi shall be determined according to Method 508 of the March 10, 1975, edition of the Military Standard for Environmental Test Methods known as MIL–STD–810C, except the spore suspensions shall be prepared using distilled water, and observations shall be made at seven-day intervals during the 28-day cycle to determine the minimum length of time required for fungal growth to appear. Viability of the spore organisms shall be determined by injecting or inoculating a separate bottle of culture medium with the spore preparation for each organism and observing for growth and individual viability. The back side of $\frac{1}{2}$ inch standard commercial grade gypsum wall board grayback paper surface shall be used as the control. After the test exposure, the test samples shall be examined at 40 times magnification for evidence of fungal growth. The material shall show no more fungal growth than the control material.

10. Test procedures described in Items 5, 6 and 7 are not required of products which are installed in such a manner that physical restrictions imposed by the construction elements preclude any possibility of subsequent delamination, erosion, or dusting and the product is identified only for such installations.

(f) Mineral Aggregate in Board Form.

1. **Composition.** The basic material shall be mineral in nature, crushed, dried, and graded to the proper particle size and expanded by the application of heat to form a spherical, cellular type of aggregate. It shall be composed of spherical cellular beads of expanded aggregate and fibers formed into rigid, flat, rectangular units and shall have an integral water proofing treatment. It shall be clean, dry and free of extraneous material. Fibers shall be evenly distributed and insulation and facings shall be sufficiently coherent to be unaffected by handling and installation.

2. **Thermal Performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177–76, ANSI/ASTM C 236–66, or ANSI/ASTM C 518–76 at the manufacturer's option.

3. **Resistance to combustion.** Surface-burning characteristics of materials with facings and membranes intended for exposed applications shall be determined according to ANSI/ASTME 84–79 and shall not exceed the following values:

Flame spread 25

Smoke developed 450

Facings and membranes of materials intended for exposed applications shall be exposed to the flame during the ANSI/ASTME 84-79 test.

Insulation boards exclusive of facings and membranes shall not exceed the following values:

Flame spread 25

Smoke developed 50

(g) Mineral Fiber in Blanket Form.

1. **Composition.** The basic material shall be fibers made from mineral substances such as rock, slag or glass processes from a molten state into fibrous form.

2. **Thermal performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option.

3. **Size.** The thickness shall be determined according to ANSI/ASTM C 167-64.

4. **Resistance to combustion.** Surface-burning characteristics of materials with facings and membranes intended for exposed applications shall be determined according to ANSI/ASTME 84-79 and shall not exceed the following values:

Flame spread 25

Smoke developed 450

Facings and membranes of materials intended for exposed applications shall be exposed to the flame during the ANSI/ASTME 84-79 test.

Insulation blankets not intended for exposed applications shall comply with the United States General Services Administration insulation standard HH-I-521F dated September 4, 1980, for flammability and smoldering combustion testing.

5. **Corrosiveness.** Corrosiveness shall be determined according to Test Description Number 2. The steel test plate in contact with the insulation shall show no greater corrosion than a steel plate in contact with sterile cotton.

6. **Resistance to fungi.** Resistance to fungi shall be determined according to Method 508 of the March 10, 1975, edition of the Military Standard for Environmental Test Methods known as MIL-STD-810C except the spore suspensions shall be prepared using distilled water. The core of gypsum wall board shall be used as the control. After the test exposure, the test samples shall show no more fungal growth than the control material when examined at 40 times magnification.

7. **Odor emission.** Odor emission shall be determined according to Test Description Number 1. A detectable odor of objectionable nature observed by two or more of the panel members shall be cause for rejection.

(h) Mineral Fiber in Board Form.

1. **Composition.** The basic material shall be made from mineral substances such as rock, slag or glass processed from a molten state into a fibrous form. Insulation shall be composed of mineral fibers with water resistant binder added and formed into flat, rectangular units. Insulation boards shall be uniform in quality, free from defects, such as broken edges, splits or loose materials which would impair its intended use.

Roof insulation boards shall have either integral waterproofing treatment or a waterproof coating on one surface. The coating shall be flush with the edges of the sides and may be flush with or extend over both ends.

2. **Thermal performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option.

3. **Resistance to combustion.** Surface-burning characteristics of materials with facings and membranes intended for exposed applications shall be determined according to ANSI/ASTME 84-79 and shall not exceed the following values:

Flame spread 25

Smoke developed 450

Facings and membranes of materials intended for exposed applications shall be exposed to the flame during the ANSI/ASTME 84-79 test.

Insulation boards exclusive of facings and membranes shall not exceed the following values:

Flame spread 25

Smoke developed 50

(i) Mineral Fiber in Loose Fill Form.

1. **Composition.** Mineral fiber insulation shall be made from mineral substances such as rock, slag or glass processed from a molten state into fibrous form. The insulation shall be mechanically processed to produce a mineral fiber suitable for pneumatic or poured application.

2. Thermal performance. Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option.

3. Density. The density shall be determined according to installed design density. All tests shall be conducted at the installed design density.

4. Resistance to combustion. Loose fill insulation shall comply with the United States General Services Administration insulation standard HH-I-1030B dated August 12, 1980, for flammability and smoldering combustion testing.

5. Corrosiveness. Corrosiveness shall be determined according to Test Description Number 2. The steel plate in contact with the insulation shall show no greater corrosion than a steel plate in contact with sterile cotton.

6. Resistance to fungi. Resistance to fungi shall be determined according to Method 508 of the March 10, 1975, edition of the Military Standard for Environmental Test Methods known as MIL-STD-810C, except the spore suspensions shall be prepared using distilled water. The core of gypsum wall board shall be used as the control. After the test exposure, the test samples shall show no more fungal growth than the control material when examined at 40 times magnification.

7. Odor emission. Odor emission shall be determined according to Test Description Number 1. A detectable odor of objectionable nature observed by two or more of the panel members shall be cause for rejection.

8. Identification. Each insulation container shall be marked with the type (pouring or pneumatic), the net weight and the manufacturer's recommendations for installation including minimum thickness, maximum coverage and installed design density to provide the levels of thermal performance shown. Manufacturer's installation recommendations shall include precautions according to the 1993 *National Electrical Code* Section 410-66.

Products which may be used for pressure fill retrofit wall application shall be marked with the recommended wall density to prevent settling and separately marked with the tested thermal performance for such applications.

(j) Perlite in Loose Fill Form.

1. Composition. Expanded perlite loose fill insulation shall be produced by the expanding of natural perlite or by heating.

2. Thermal performance. Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option.

3. Density. Density shall be determined according to installed design density. All tests except the ANSI/ASTM E 84-79 test shall be conducted at the installed design density.

4. Resistance to combustion. Resistance to combustion shall be determined by the use of the Attic Floor Radiant Panel Test, as described in the United States General Services Administration insulation standard HH-I-515D Section 3.1.9 as amended October 11, 1979.

5. Identification. Each insulation container shall be marked with the type (pouring or pneumatic), the net weight and the manufacturer's recommendations for installation including minimum thickness, maximum coverage and installed design density to provide the levels of thermal performance shown. Manufacturer's installation recommendations shall include precautions according to the 1993 *National Electrical Code* Section 410-66.

Products which may be used for pressure fill retrofit wall application shall be marked with the recommended wall density to prevent settling and separately marked with the tested thermal performance for such applications.

(k) Polystyrene in Board Form.

1. Composition. Insulation board shall be formed by the expansion of polystyrene resin beads or granules in a mold or the insulation board shall be formed by the expansion of polystyrene base resin in an extrusion process. The insulation shall be uniformly fused, homogeneous, and essentially unicellular. Insulation board shall be uniform in physical properties and reasonably free of voids or accumulations of unexpanded material, foreign inclusions, broken corners and broken edges.

2. Thermal performance. Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option. All foam insulation materials using materials other than air or pentane as an expanding agent shall either separately condition samples at 73.4 ° F and a relative humidity of 50 ± 5 percent, and at 140 ° F dry heat and test at 30-, 60- and 90-day intervals or shall test samples certified by an approved testing laboratory to have been aged while exposed to free air in a well ventilated room for at least two years at 70 ± 10 ° F, provided, however, that until 2 1/2 years after the adoption of these quality standards by the Commission, test samples may be aged for six months for certification of the material.

Notwithstanding any other provision of this article, this thermal performance standard shall not take effect until 250 days after adoption. If the certification statement submitted pursuant to Section 1555 of this article does not include test results for thermal performance, the manufacturer shall submit a new certification statement which includes such test results prior to 250 days after adoption. If the latest certification statement is based on the six-month aging test, a

new statement, based upon the two-year aging test or the accelerated aging test shall be submitted by 2¹/₂ years after the adoption date.

3. **A. Resistance to combustion.** The material shall be tested to meet the requirements of Sections 2602.1-2602.6 of the 1994 *Uniform Building Code*, with the additional provision that the surface-burning characteristics shall be determined according to ANSI/ASTM E 84-79 and shall not exceed the following values:

Flame spread	75
Smoke developed	450

B. This subsection shall not apply to any product recognized by the International Conference of Building Officials, as of the date of adoption of these regulations, as complying with Sections 2602.1-2602.6 of the 1994 *Uniform Building Code* based solely upon diversified testing. The manufacturer of any product which is recognized by the International Conference of Building Officials, subsequent to the date of approval of these regulations, as complying with Sections 2602.1-2602.6 of the 1994 *Uniform Building Code* based solely upon diversified testing, may petition the Commission for an exemption of that product from the provisions of this subsection.

4. **Dimensional stability.** All foamed polystyrene insulation materials which are factory formed shall be tested for dimensional stability in accordance with Procedures E and G of ASTM D 2126-75 with the following exceptions: (a) sample size shall be 12 inches by 12 inches \pm 1 inch, and (b) samples shall be tested as manufactured with or without facers.

The average percent change in length or width shall not exceed \pm 2 percent in 24 hours or \pm 4 percent in seven days. The average percent change in thickness shall not exceed \pm 10 percent in seven days. Samples shall be regarded as failing if: (1) delamination area of "faced" samples exceeds 25 percent or (2) warping or cupping exceeds ¹/₄ inch when checked by a straight edge across raised diagonal corners.

(I) Polyurethane and Polyisocyanurate in Board Form and Field Applied.

1. **Composition.** The manufacture of the insulation shall be based mainly on the reaction of an organic polyisocyanate with a polyol resin.

Board shall be of uniform texture, reasonably free from accumulation of unexpanded material and foreign inclusions, and reasonably free of broken edges and corners. It shall be reasonably free from holes, voids, depressions and objectionable odor. Laminated composite boards shall be included in this quality standard. The faces of laminated boards shall adhere firmly throughout to the foam, and shall show no excessive amounts of slits, voids or depressions.

2. **Thermal performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 518-76 at the manufacturer's option. All foam insulation materials using materials other than air or pentane as an expanding agent shall either separately condition samples at 73.4 \pm 3.6 F and a relative humidity of 50 \pm 5 percent, and at 140 F dry heat and test at 30-, 60- and 90-day intervals or shall test samples certified by an approved testing laboratory to have been aged while exposed to free air in a well ventilated room for at least two years at 70 \pm 10 F, provided, however, that until 2¹/₂ years after the adoption of these quality standards by the Commission, test samples may be aged for six months for certification of the material.

Notwithstanding any other provision of this article, this thermal performance standard shall not take effect until 250 days after adoption. If the certification statement submitted pursuant to Section 1555 of these regulations does not include test results for thermal performance, the manufacturer shall submit a new certification statement which includes such test results prior to 250 days after adoption. If the latest certification statement is based on the six-month aging test, a new statement, based upon the two-year aging test or the accelerated aging test shall be submitted by 2¹/₂ years after the adoption date.

3. **Dimensional stability.** All foamed polyurethane and polyisocyanurate insulation materials which are factory formed shall be tested for dimensional stability in accordance with Procedures E and G of ASTM D 2126-75 with the following exceptions: (a) sample size shall be 12 inches by 12 inches \pm 1 inch and (b) samples shall be tested as manufactured with or without facers.

The average percent change in length or width shall not exceed \pm 2 percent in 24 hours or \pm 4 percent in seven days. The average percent change in thickness shall not exceed \pm 10 percent in seven days. Samples shall be regarded as failing if: (1) delamination area of "faced" samples exceeds 25 percent or (2) warping or cupping exceeds ¹/₄ inch when checked by a straight edge across raised diagonal corners.

4. Resistance to combustion.

A. The material shall be tested to meet the requirements of Sections 2602.1-2602.6 of the 1994 *Uniform Building Code*, with the additional provision that the surface-burning characteristics shall be determined according to ANSI/ASTM E 84-79 and shall not exceed the following values:

Flame spread	75
Smoke developed	450

B. This subsection shall not apply to any product recognized by the International Conference of Building Officials, as of the date of adoption of this article, as complying with Sections 2602.1-2602.6 of the 1994 *Uniform Building Code* based solely upon diversified testing. The manufacturer of any product which is recognized by the International Conference of Building Officials, subsequent to the date of approval of these regulations, as complying with Sections 2602.1-2602.6 of the 1994 *Uniform Building Code* based solely upon diversified testing, may petition the Commission for an exemption of that product from the provisions of this subsection.

5. **Identification.** Foam containers shall state the conditions of proper storage.

(m) Urea Formaldehyde Foam Field Applied.

1. **Limitation on sale.** Urea formaldehyde foam is unsafe for use as insulation. Sale within the State of California of urea formaldehyde foam insulation is prohibited.

2. **Exemption.** Notwithstanding any other provision of this article, a manufacturer of the primary components of urea formaldehyde foam insulation may apply for certification as provided in Section 1555 of this article. Such certification statement shall indicate compliance with the following standards:

A. **Composition.** The material shall consist of cellular plastic generated in a continuous stream by mixing the components which are a urea formaldehyde resin, air and a foaming agent. The material shall be suitable for filling closed cavities through small holes and suitable also for filling open cavities by trowelling during foaming prior to enclosure.

B. **Thermal performance.** The effective thermal performance, incorporating a derating value, shall be determined according to the method described in 42 Fed. Reg. pages 55143–55148.

C. **Resistance to combustion.** Surface-burning characteristics shall be determined according to the ANSI/ASTM E 84–79 and shall not exceed the following values:

Flame spread 25

Smoke developed 450

Test specimens shall be aged for 45 days at 70 °F ± 5 °F and 35 to 40 percent relative humidity before testing.

D. **Free formaldehyde content of dry foam.** The free formaldehyde content of the dry foam shall be less than 0.01 percent formaldehyde by weight when tested as specified in paragraph (f) (8), published in 45 Fed. Reg. page 63801, except that the specimens to be tested shall also be aged for 56 days at 24 ± 5 °C (75 ± 10 °F) and 50 ± 10 percent relative humidity in an uncovered beaker.

E. **Corrosiveness.** The material shall be tested and shall meet the criteria for corrosiveness as specified in 45 Fed. Reg. pages 63786–63810.

F. **Density.** The material shall be tested and shall meet the criteria for density as specified in 45 Fed. Reg. pages 63786–63810.

G. **Shrinkage.** The material shall be tested and meet the criteria for shrinkage as specified in 45 Fed. Reg. pages 63786–63810, except that the material shall not shrink more than 2.0 percent in any direction.

H. **Volume resistivity.** The material shall be tested and meet the criteria for volume resistivity as specified in 45 Fed. Reg. pages 63786–63810.

I. **Identification.** Resin and foaming agent containers shall be marked with conditions of proper storage and the derated R-value and shrinkage of the prepared foam as certified by the manufacturer.

J. **Safety information.** Installers of urea formaldehyde foam insulation shall present the following safety notice to the purchasers of the foam prior to the signing of the contract for installation. The notice shall be printed in a minimum of 8-point type size. One copy of the notice signed by the purchaser shall be immediately given to the purchaser, one copy shall be retained by the installer and one copy shall be mailed by the installer to the Executive Director of the Energy Commission within 48 hours after installation of the insulation is completed.

Manufacturers shall make all sales of urea foam insulation components expressly subject to the application restrictions listed in the notice described below.

UREA FORMALDEHYDE FOAM INSULATION
SAFETY NOTICE

The Federal Panel on Formaldehyde has concluded that formaldehyde should be presumed to pose a carcinogenic (cancer) risk for humans. Formaldehyde gas may also cause eye, nose, and throat irritation, coughing, shortness of breath, skin irritation, nausea, headaches, and dizziness. People with respiratory problems or allergies may suffer more serious reactions, especially people allergic to formaldehyde. Women who are pregnant or planning to become pregnant should not be exposed to this product.

The symptoms may appear immediately or not until months after installation.

This product may release formaldehyde gas into your home or building over a long period of time. In some instances the formaldehyde gas cannot be controlled by ventilation or other means.

Application of this product is restricted to exterior sidewalls in both residential and commercial/industrial buildings. A 4-mil thickness plastic polyethylene vapor barrier, or equivalent plastic sheeting vapor barrier, shall be installed between the urea formaldehyde foam insulation and the interior space of the home or building in all applications.

If you have health concerns, call your doctor. Also, call the installer or manufacturer of the material.

(PLEASE PRINT OR WRITE LEGIBLY)

PURCHASER NAME OR NAMES _____
PURCHASER ADDRESS _____
PURCHASER PHONE NUMBER: Home () _____ Work () _____

LOCATION OF INSTALLATION IF DIFFERENT FROM ABOVE

LOCATION ADDRESS _____ CITY _____ ZIP _____
The Purchaser acknowledges he or she has read and understands this notice
Signed X _____ Date _____
Signed X _____ Date _____

**THE FOLLOWING INFORMATION IS TO BE COMPLETED BY
THE INSTALLING CONTRACTOR**

CONTRACTOR'S NAME _____
CONTRACTOR'S ADDRESS _____ CITY _____ ZIP _____
CONTRACTOR'S STATE LICENSE NUMBER _____
NAME OF MANUFACTURER _____
MANUFACTURER'S ADDRESS _____ CITY _____ ZIP _____
MANUFACTURER'S PHONE NUMBER () _____
TEMPERATURE OF OUTSIDE AIR AT START OF INSTALLATION _____ ° F

	<u>BATCH NUMBER</u>	<u>EXPIRATION DATE</u>	<u>TEMPERATURE (START OF INSTALLATION)</u>
<u>RESIN</u>	_____	_____	_____ ° F
<u>FOAMING AGENT</u>	_____	_____	_____ ° F

STEPS THE INSTALLING CONTRACTOR MUST FOLLOW

1. The installing contractor is responsible for mailing this completed notice to the following address within 48 hours after completion of installation. Mail one copy to:

Executive Director
Energy Resources, Conservation and Development Commission
1516 9th Street
Sacramento, CA 95814

2. Give one copy to the Purchaser

3. The installing contractor shall keep one copy of this completed notice for a period of not less than three years.

3. **Severability of Provisions.** If any provision of Section 1553 (m) (1) or (2), or the application thereof to any person or circumstances, is held invalid, the remaining provisions, or the application of such provisions to other persons or circumstances, shall not be affected thereby.

(n) Vermiculite in Loose Fill Form.

1. **Composition.** Vermiculite loose fill insulation shall be produced by the expanding or exfoliating of natural vermiculite or by grading and heating.

2. **Thermal performance.** Determination of the thermal performance shall be in accordance with ANSI/ASTM C 177-76, ANSI/ASTM C 236-66, or ANSI/ASTM C 615-76 at the manufacturer's option.

3. **Density.** Density shall be determined according to installed design density. All tests except the ANSI/ASTM E 84-79 test shall be conducted at the installed design density.

4. Resistance to combustion. Resistance to combustion shall be determined by the use of the Attic Floor Radiant Panel Test, as described in the United States General Services Administration insulation standard HH-1-515D as amended October 11, 1979.

5. Identification. Containers of vermiculite shall be marked with the type (pouring or pneumatic), the net weight and the manufacturer's recommendations for installation including minimum thickness, maximum coverage and installed design density to provide the levels of thermal performance shown. Manufacturer's installation recommendations shall include precautions according to the 1993 *National Electric Code* Section 410-66.

Products which may be used for pressure fill retrofit wall application shall be marked with the recommended wall density to prevent settling and separately marked with the tested thermal performance for such applications.

Authority cited: Sections 25402(a) and 25920, Public Resources Code.

Reference: Sections 25920-25922, Public Resources Code.

HISTORY:

1. Amendment of subsection (a) (9) filed 4-2-79; effective thirtieth day thereafter (Register 79, No. 14).
2. Editorial correction of subsection designations with subsection (j) (4) (Register 79, No. 17).
3. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).
4. New subsection (m) (2) (J) filed 9-11-81; effective thirtieth day thereafter (Register 81, No. 37).
5. Editorial correction of subsection (k) (3) (B) filed 1-13-82 (Register 82, No. 3).
6. Amendment of subsections (a) (5) and (a) (8) filed 5-5-82; effective thirtieth day thereafter (Register 82, No. 19).
7. Editorial correction of subsection (m) printing error (Register 82, No. 44).

Approval of Testing Laboratories

Sec. 12-13-1554.

(a) Except as provided in subsection (b), laboratories shall be approved using the procedures described in the Criteria for the Approval of Testing Laboratories, dated October 27, 1978. The Executive Director shall approve any laboratory that meets the standards described in the Criteria for the Approval of Testing Laboratories, dated October 27, 1978. A testing laboratory shall have the right to appeal to the full Commission any denial of approval by the Executive Director.

(b) Up to and including September 30, 1982, laboratories shall be approved either upon accreditation by the United States Department of Commerce National Voluntary Laboratory Accreditation Program or as stated in the preceding paragraph, at the manufacturer's option. After September 30, 1982, laboratories shall only be approved upon accreditation by the United States Department of Commerce National Voluntary Laboratory Accreditation Program.

Authority cited: Section 25218(e), Public Resources Code.

Reference: Sections 25915(a) and 25921, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81, designated effective 9-22-81 (Register 81, No. 33).

Certification

Sec. 12-13-1555.

(a) No insulating material shall be sold or installed in California on or after September 22, 1981, unless the manufacturer has certified that the material complies with the provisions of this article.

(b) The manufacturer shall submit a certification statement to the Executive Director for each type of insulating material. Such statement shall contain the following information:

1. Name of the manufacturer.
2. A description of the type of insulating material being certified in sufficient detail to permit its identification. The description may include information sheets, brochures, a sample label for the product or similar information.
3. Test results from an approved laboratory.
4. A description of the basis for ensuring that all the insulating material of the type being certified complies with the requirements of this article. Such description shall include, but not be limited to a description of the frequency of testing of the material, the quality assurance program, and any third-party inspections or testing used by the manufacturer.
5. A declaration that the insulating material complies with the requirements of this article.
6. The wording of the certification seal, if such seal consists of a statement pursuant to Section 1557 (b) (2) of this article.

(c) Every certification statement shall be dated and signed by the manufacturer attesting to its truth and accuracy. Where the manufacturer is either a corporation or a business association, the certification statement shall be dated, signed and attested to by a responsible official thereof.

(d) Within 45 days after receipt of a certification statement, the Executive Director shall forward, to the manufacturer, an acknowledgment that the statement has been received and that it is complete and accurate on its face.

(e) Certification of the insulation material shall be deemed to occur upon forwarding of the acknowledgement by the Executive Director. If acknowledgment is not forwarded in a timely manner, certification shall be deemed to occur on the 45th day after receipt of the certification statement.

(f) The statement of test results required in the certification may be based upon tests conducted prior to the adoptive date of this article if: (1) the same test was conducted within two years of the date of adoption, (2) the laboratory at which the tests were conducted has been approved for those tests as of the date of the certification statement, and (3) the laboratory certifies that the test and product are the same as the test and product referred to in the statement of test results.

Authority cited: Section 25218(e), Public Resources Code.

Reference: Sections 25921 and 25921.1, Public Resources Code.

HISTORY:

1. Amendment of subsections (a), (b) (4), (b) (6) and (f) filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Quality Assurance. (Reserved)

Sec. 12-13-1556.

Authority cited: Section 25218 (e), Public Resources Code.

Reference: Section 25921.1, Public Resources Code.

HISTORY:

1. Repealer filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Identification

Sec. 12-13-1557.

(a) Except as specified in subsection (b), Item 3, of this section, no insulation shall be sold in California on or after September 22, 1981, unless the insulating material, container, bundle or similar packaging material bears a visible Commission approved statement certifying that a representative sample of the insulation material has been tested and approved by an approved laboratory and complies with the requirements of this article.

(b) The Commission-approved statement shall consist of either:

1. A design or statement approved by the Executive Director, or

2. An identification of the manufacturer and any statement that the material meets the quality standards of the State of California.

3. A statement that the material meets the quality standards of the State of California included in the bill of lading shall meet the requirements of this section only if the product is being shipped in bulk, or the container or product is not otherwise labeled by the manufacturer and the product is being sold to its ultimate user.

(c) Any representation of thermal performance which appear on any label, literature, advertising or any other writing intended for the public shall be consistent with the certification testing results and derating required by this article.

(d) Any insulation with facings and membranes for which the flame spread exceeds 25 when tested with facings and membranes exposed to the flame during the ANSI/ASTM E 84-79 test must be clearly labeled with a statement that the product may be highly combustible if used in an exposed application. This subsection shall not apply to any product meeting the requirements of Sections 2602.1-2602.6 of the 1994 Uniform Building Code.

Authority cited: Section 25218(e), Public Resources Code.

Reference: Section 25921, Public Resources Code.

HISTORY:

1. Amendment of subsections (a) and (c) filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Inspections

Sec. 12-13-1558.

After September 22, 1981, the Commission may, upon the consent of the owner or lessee, or upon securing a search warrant, have access, during normal working hours, to the premises of manufacturers, distributors and retailers of insulating material sold for installation within the state for the purpose of determining compliance with the standards promulgated pursuant to Chapter 10.5 of the California Public Resources Code. Such access shall be for

the purposes of obtaining representative samples of subject insulation and inspecting records and documents pertaining to tests by approved testing labs.

Authority cited: Section 25218 (e), Public Resources Code.

Reference: Section 25926, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Performance Tests

Sec. 12-13-1559.

The Commission may conduct, or may contract with others to conduct, independent performance tests of representative samples of insulation sold in the state to determine compliance with standards adopted pursuant to Chapter 10.5 of the California Public Resources Code. Such tests shall form the basis for instituting enforcement proceedings.

Authority cited: Section 25218 (e), Public Resources Code.

Reference: Section 25926, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Costs of Inspection and Testing. (Reserved)

Sec. 12-13-1560.

Authority cited: Section 25218 (e), Public Resources Code.

Reference: Section 25926, Public Resources Code.

HISTORY:

1. Repealer filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Enforcement. (Reserved)

Sec. 12-13-1561.

Authority cited: Section 25218 (e), Public Resources Code.

Reference: Section 25931, Public Resources Code.

HISTORY:

1. Repealer filed 6-26-79; effective thirtieth day thereafter (Register 79, No. 26).

Release of Information

Sec. 12-13-1562.

Persons submitting information to the Commission who wish information to be kept confidential shall comply with the provisions of Sections 2501-2511 of the Public Resources Code.

Authority cited: Section 25218(e), Public Resources Code.

Reference: Sections 25223 and 25921.1, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Liability

Sec. 12-13-1563.

Nothing in this article shall be construed as imposing responsibility on manufacturers for misuse of properly labeled insulation.

Authority cited: Section 25218(e), Public Resources Code.

Reference: Sections 25926 and 25931, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Insulating Existing Buildings

Sec. 12-13-1564.

(a) On or after March 25, 1982, if insulating material is installed in an existing building, in any of the applications specified in California Code of Regulations, Title 24, Part 6, Section 118, the installing contractor shall certify that the amount of insulation installed meets or exceeds the requirements of Part 6, Section 118 for that application. Such certification shall be made on completion of the installation by posting in a conspicuous location a certificate signed under penalty of perjury. The certificate shall state the manufacturer's name and material identification, the thermal resistance (*R*-value) of the newly installed insulation, the estimated *R*-value of the original insulation, the total *R*-

value, and (in application of loose fill insulation) the minimum contractor installed weight per square foot. This installed weight per square foot shall conform with the manufacturer's installed design density per square foot at the manufacturer's labeled R-value.

(b) **Water Heater Insulation Kits.** No water heater insulation kit shall be sold, on or after March 25, 1982, unless it has a thermal resistance of at least R-6 and is so identified.

Each water heater insulation kit sold shall include instructions which are equivalent to the Department of Energy standard practice for the installation of insulation on gas-fired, oil-fired and electric resistance water heaters, 44 Fed. Reg. pages 64703-64705.

Authority cited: Section 25922, Public Resources Code.

Reference: Section 25922, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).
2. Editorial correction of subsection (a) filed 1-13-82 (Register 82, No. 2).

Interpretation

Sec. 12-13-1565.

The General Counsel of the Commission shall make a determination as to the application or interpretation of any provision of this article to any person requesting such a determination. Any such request shall be submitted in writing to the Commission. The Commission shall make written replies to such inquiries and shall widely publish interpretations that have broad application or interest.

Authority cited: Section 25218 (e), Public Resources Code.

Reference: Sections 25920 and 25922, Public Resources Code.

HISTORY:

1. Amendment filed 8-10-81; designated effective 9-22-81 (Register 81, No. 33).

Chapter 12-31C:

Chapter 12-31C

**RADIATION SHIELDING STANDARDS
STANDARD 12-31C**

DEPARTMENT OF HEALTH SERVICES

Authority: Sections 102, 208 and 25811.

Reference: Sections 102, 208 and 436.5.

All Healing Arts X-ray Installations

Sec. 12-31C-101. All radiation shielding barriers in rooms and enclosures housing radiation machines shall comply with the mandatory standards and appendixes in Report No. 35, "DentalX-RAY Protection"; Report 49, "Structural Shielding Design and Evaluation for Medical use of X-rays and Gamma Rays of Energies up to 10 MeV"; and Report No. 51, "Radiation Protection Design Guidelines for 0.1-100 MeV Particle Accelerator Facilities." Published by the National Council on Radiation Protection and Measurements, 7910 Woodmont Avenue, Bethesda, Maryland 20814.

Notation

Authority: Health & Safety Code Section 18934.5

Reference(s): Health & Safety Code, Division 13, Part 2.5, commencing with section 18901.

ITEM 23-2 – Committee Recommendations

A AA D FS

* * *
(END OF ITEM)

INITIAL STATEMENT OF REASONS

STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:

(Government Code Section 11346.2 requires a statement of specific purpose of **EACH** adoption, amendment, or repeal and the rational the determination by the agency that EACH adoption, amendment, or repeal is reasonably necessary to carry out the purpose for which it is proposed.)

This proposed action will codify in the current and future editions of CCR, Title 24, Part 12 the following chapters of the 1998 edition of CCR, Title 24, Part 12:

- Chapter 12-4A – Laboratory Animal Quarter Standards of the 1998 edition of CCR, Part 12 which references the “Guide for Care and Use of Laboratory Animals” of US Department of Health, Education and Welfare.
- Chapter 12-13 – Standards for Insulating Material of the 1998 edition of CCR, Part 12 which establishes standards governing the quality of insulation sold within the state used in furniture.
- Chapter 12-31C – Radiation Shielding Standards of the 1998 edition of the CCR, Part 12 which references standards of the National Council on Radiation Protection and Measurements.

SB 331 (Statutes of 1979, c. 1152) established the CBSC in its current format to review any building standard proposed by a state agency. The legislation further required building standards of any state agency codified in CCR titles to be moved into CCR, Title 24. Moving regulations required by statute is considered editorial and may be carried out without having to execute a regulatory action in accordance with the Administrative Procedure Act. Following the enactment of SB 331, state agencies moved their respective building standards into CCR, Title 24. However, the BSC is unable to find the administrative records, pertaining to the subject matter of this proposed action, filed with the Secretary State. The purpose of this proposed action is to create an administrative record and record the administrative action with the Secretary of State mandated by SB 331.

The proposed action will also delete Chapter 12-1, Administration, which is based upon the administrative chapter of the Uniform Building Code. Chapter 12-1 is unnecessary; it duplicates the administrative provisions of the California Building Code and may conflict with the administrative provisions of the other model source codes. This proposed action confirms Part 12’s purpose as a depository for Title 24 referenced standards, and eliminates redundant language from the Building Code.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

(Government Code Section 11346.2(b)(2) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

While the BSC does not rely upon any technical, theoretical and empirical studies or reports, the subject chapters have appeared in every edition of CCR, Title 24, Part 12 since 1984.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(3)(A) requires a description of reasonable alternatives to the regulation and the agency’s reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate)

None

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

(Government Code Section 11346.2(b)(3)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Include facts, evidence, documents, testimony, or other evidence upon which the agency relies to support an initial determination that the action will not have a significant adverse impact on business.)

This proposed action will not have any adverse impact on small business.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

(Government Code Section 11346.2(B)(4) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies in to support an initial determination that the action will not have a significant adverse economic impact on business)

This proposed action will not have significant adverse impact on business. The subject standards of this proposed action have been codified and in effect in the CCR, Title 24 since 1984.